

Northern Plains Resource Council
Testimony on SB 267
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Beth Kaeding
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Madam Chairman and members of the Committee, thank you for the opportunity to speak before you today. My name is Beth Kaeding and I live in Bozeman. I am the past chair of Northern Plains Resource Council, a grassroots conservation and family agriculture organization that organizes Montana citizens to protect our water quality, family farms and ranches, and rural economies. I am here today on behalf of our members.

Northern Plains Resource Council opposes SB 267. The DEQ [Department of Environmental Quality] has been working on establishing TMDLs [Total Maximum Daily Load] for the Tongue and Powder rivers and Rosebud Creek in southeastern Montana for nearly a decade. Many of our members are dependent on clean water for their agricultural operations. To date, nothing has happened – except that the quality of our southeastern Montana rivers and streams have deteriorated. SB 267 just prolongs this stalled process.

Our members spent a number of years gathering scientific data, meeting with agency officials, and finally petitioning the Board of Environmental Review to set water quality standards for these southeastern Montana streams. After lengthy debate and careful consideration, the Board did set standards for SAR [sodium adsorption ratio] and EC [electrical conductivity] in March 2003. While the standards that were set were not as strict as we had asked for, we accepted the decision because we were promised that our rivers and streams would be protected through the TMDL allocation process and Montana's water quality standards and permitting program.

Our members then again invested much personal time and effort and traveled many miles to attend countless "stakeholder" meetings as part of the TMDL process. In December 2005, a DEQ assessment determined that the lower Tongue was not meeting water quality standards for salinity. But nothing has happened – except that the river's water quality continues to be degraded. Without establishing a TMDL, the state is unable to set an enforceable pollution limit at the state line. Without establishing a TMDL, discharge permits continue to be issued for projects. Yet, without establishing a TMDL, the lives and livelihoods of our members in the Tongue River Valley are being irreparably harmed.

On behalf of the hundreds of farm and ranch families in southeastern Montana that Northern Plains represents and the tens of thousands of acres of irrigated southeastern Montana crop land, we urge you to vote "No" on SB 267 and, instead, insist that the DEQ live up to its public trust responsibility to protect our state's water and establish TMDLs for the Tongue River and the other rivers and streams in southeastern Montana.